

**THE UNITED STATES DISTRICT
COURT SOUTHERN DISTRICT OF
TEXAS CORPUS CHRISTI DIVISION**

Michael Louis Vickers, et al,	§	
	§	
Plaintiffs,	§	
	§	
v.	§	CIVIL ACTION NO: 2:24-cv-00169
	§	
Joseph R. Biden, Jr., et al.,	§	
	§	
Defendants.	§	

JOINT MOTION TO STAY THE CASE

The parties respectfully move the Court to stay this case for the purposes of determining whether the parties' positions will narrow or clarify after January 20, 2025.

In this case, Plaintiffs challenge several of Defendants' immigration policies and actions pursuant to the Take Care Clause of the U.S. Constitution, the Administrative Procedure Act, and the National Environmental Policy Act, including: Defendants' Guidelines for the Enforcement of Civil Immigration Law, diversion of some funding from the border wall initiative, termination of the Migrant Protection Protocols, the CHNV parole processes, the Family Reunification Parole processes for Colombians, Hondurans, Guatemalans, and Salvadorans, and use of the CBP One App for scheduling an appointment to present at a port of entry. ECF No. 1.

The parties now jointly move the Court for a stay of proceedings.¹ The "power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants." *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936). "How this can best be done calls for the exercise

¹ Plaintiffs also withdraw their Opposition to Defendants' Motion to Stay (ECF No. 28).

of judgment, which must weigh competing interests and maintain an even balance.” *Id.* at 254-55; *see In re Ramu Corporation*, 903 F.2d 312, 318 (5th Cir. 1990) (noting that a district court ordinarily has “wide discretion” to grant “[t]he stay of a pending matter”).

Here, the balance of interests and principles of judicial economy dictate that this case should be stayed to avoid a possible advisory opinion affecting agency actions under the current circumstances. *See Exxon Mobil Corp. v. Arjuna Cap., LLC*, No. 4:24-CV-00069-P, 2024 WL 2331803, at *3 (N.D. Tex. May 22, 2024) (citing *Franciscan Alliance, Inc. v. Becerra*, 47 F.4th 368, 376 (5th Cir. 2022)). Further, the parties have conferred and agree that neither party would be prejudiced by temporarily staying the case to determine whether a change of administrations will narrow or clarify the parties’ positions.

CONCLUSION

For the foregoing reasons, the Court should stay this case pending further order of the Court. The parties will file a joint status report with the Court on or before February 10, 2025, advising the Court of the status of the claims and proposing a schedule for future proceedings, should any be necessary.

Dated: December 3, 2024

Respectfully submitted,

For Plaintiffs

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CERTIFICATE OF SERVICE

I, Joseph A. Darrow, do hereby certify that on December 3, 2024, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send a notice of electronic filing to all counsel of record.

/s/ Joseph A. Darrow
JOSEPH A. DARROW
U.S. Department of Justice